**DECLARATION FOR PATENT APPLICATION**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name;

I believe that I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD FOR MEASURING THE VOLUME OF CELLS OR PARTICLES**

the specification of which:

☐ is attached hereto.

☒ was filed on:

July 17, 2003

as Application No.:

10/622,922

and was amended on:

\_\_\_\_\_ (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

**Prior Foreign Application(s)**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Foreign Filing Date (DD/MM/YYYY)	Priority Claimed		Certified Copy Attached	
			Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
			Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
			Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**Prior Provisional Application(s)**

I hereby claim priority under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing (day, month, year)
60/396,830	July 17, 2002

**Prior United States Application(s)**

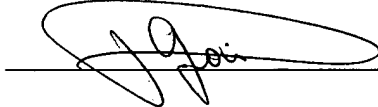
I hereby claim priority under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned

All correspondence and telephone communications should be addressed to **ALDO J. TEST** at the address corresponding to Customer Number 32940 currently: Dorsey & Whitney LLP, Intellectual Property Department; Four Embarcadero Center, Suite 3400, San Francisco, California 94111-4187; telephone number (650) 494-8700; facsimile number (650) 494-8771.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature



Date 12.3.03

Full Name of

First Inventor:

Goix

(Family Name)

Philippe

(First Given Name)

J.

(Second Given Name)

Citizenship:

US and French

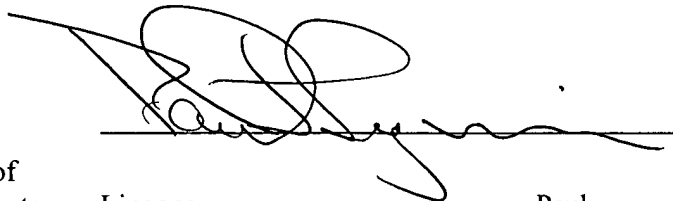
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Signature



Date 12/3/03

Full Name of

Second Inventor:

Lingane

(Family Name)

Paul

(First Given Name)

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Citizenship:

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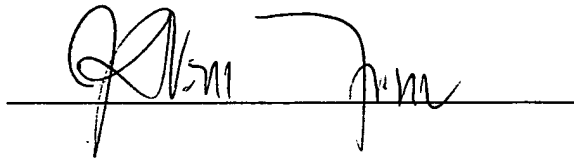
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Signature



Date Dec. 03, 2003

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(First Given Name)

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Residence: Union City, California

Post Office

Address: 30608 Ratekin Drive, Union City, California 94587

**POWER OF ATTORNEY BY ASSIGNEE**

The undersigned assignee of the entire interest for letters patent with assigned patent application Serial No. 10/622,922 and filing date of July 17, 2003 entitled METHOD OF MEASURING THE VOLUME OF CELLS OR PARTICLES and having the named inventor(s): Philippe J. Goix, Paul J. Lingane, and Kimvan Tran, hereby appoints, both jointly and severally, DORSEY & WHITNEY LLP attorneys and agents associated with Customer Number 32940 as its attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith, said appointment to be to the exclusion of the inventor(s) and his (their) attorney(s) in accordance with the provisions of 37 C.F.R. 3.71; provided that if any one of said attorneys ceases being affiliated with the law firm of DORSEY & WHITNEY LLP as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived there from shall terminate on the date such attorney ceases being so affiliated.

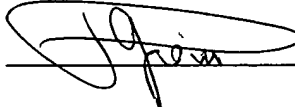
In accordance with 37 C.F.R. 3.73, the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, the assignee is the owner of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventor of the patent application identified above, a copy of which is attached hereto. The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Direct all telephone calls to ALDO J. TEST at (650) 494-8700.

Address all correspondence to:

DORSEY & WHITNEY LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187

Date: December 11, 2003

Signature: 

By: Philippe Goix  
(typed name)

Title: Founder & Chief Technology Officer

Assignee: GUAVA TECHNOLOGIES, INC.

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